THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 15739 of 2007

Date:24-07-2007

Between:

Smt.Malampati Vasantha ..
PETITIONER

AND

The Additional Agent to the Govt. & Project Officer, ITDA, Bhadrachalam and three others
..
RESPONDENTS

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ORDER:

The petitioner seeks a writ of mandamus to declare the inaction of the 1st respondent in passing appropriating orders either on the stay petition or on the appeal itself filed on 24.02.2007 against the impugned order, dated 16.04.2005 in LTR Case No.18/97/ENK passed by the 2nd respondent, as illegal and arbitrary.

It is the case of the petitioner that as against the order of the 2nd respondent-Special Deputy Collector (Tribal Welfare), Bhadrachalam dated 16.04.2005 said to have been received by the petitioner on 25.01.2007 ordering her ejectment from the schedule land in possession of Ac.4.05 gutnas in Sy.No.47/A of Jannaram village of Enkuru revenue mandal, Khammam district under Section 3 of the A.P. Scheduled Areas Land Transfer Regulation 1 of 1959, the petitioner filed an appeal before the first respondent on 24.02.2007 along with the application for grant of stay. It stated that the appellate Authority has neither considered the appeal nor disposed of the stay application.

Having regard to the facts of the case, the first respondent is directed to consider and dispose of the appeal if it is maintainable and filed within time and if any appeal is pending, status-quo obtained as on today with regard to the possession of the said land shall be maintained pending disposal of the appeal.

With the above observations, the writ petition is disposed of. No costs.

V.ESWARAIAH, J.

Date:24.07.2007
ccm